



FREDERICK COUNTY PLANNING COMMISSION
October 9, 2013

TITLE: Heritage Training and Shooting Center
McKinney Commerce Center

FILE NUMBER: SP 77-02, (AP# 13820, APFO# 13821,
FRO# 13822)

REQUEST: Site Plan Approval
The Applicant is requesting Site Plan approval for an Indoor Shooting Range/Club, on a 3.98-acre site

PROJECT INFORMATION:

ADDRESS/LOCATION: 4537 Metropolitan Court, Section II, located on the east side of Metropolitan Court

TAX MAP/PARCEL: Tax Map 86, Parcel 223, Lot 21

COMP. PLAN: Limited Industrial and Natural Resource

ZONING: Limited Industrial and Resource Conservation

PLANNING REGION: Adamstown

WATER/SEWER: W-1/S-1

APPLICANT/REPRESENTATIVES:

APPLICANT: Trust Development and Management LLC

OWNER: Buckeye Development

ENGINEER: Harris, Smariga & Associates Inc.

ARCHITECT: N/A

ATTORNEY: N/A

STAFF: Tolson DeSa, Principal Planner II

RECOMMENDATION: Conditional Approval

ATTACHMENTS:

Exhibit 1-Site Plan Rendering

STAFF REPORT

ISSUE

Development Request

The Applicant is requesting site plan approval for an Indoor Shooting Range, on a 3.98-acre tract. The proposed use is being reviewed as “*Shooting range/club - trap, skeet, rifle, and archery*” use under the Open Space and Institutional Use heading per Section 1-19-5.310 of the Zoning Ordinance and is a principal permitted use in the Limited Industrial (LI) Zoning District subject to site development plan approval.

There is no new construction proposed as part of this development application. In accordance with Zoning Ordinance Section 1-19-3.300.1.C; *Planning Commission authorized representatives may require a Type I - Planning Commission or Type II - Limited review for a site development plan application permitted through the Type II - Limited or Type III - Administrative review process, where it is determined that the proposed modification may have an adverse impact on surrounding properties, public facilities, or is inconsistent with the initial Type I - Planning Commission approval.*

Due to the proposed “*Shooting range/club - trap, skeet, rifle, and archery*” use, Staff determined that this development application should be reviewed and approved by the Frederick County Planning Commission (FCPC) in order to notify the public and receive possible input on the proposed use prior to approval. The Applicant has provided documentation regarding compliance with criteria addressing the discharging of firearms, the safety of the design and construction of the facility, and lead containment which are found in the special exception standards listed in Z.O. section 1-19-8.355 (G) (H) and (I) if such a use were being permitted in the A or RC districts.

BACKGROUND

Development History

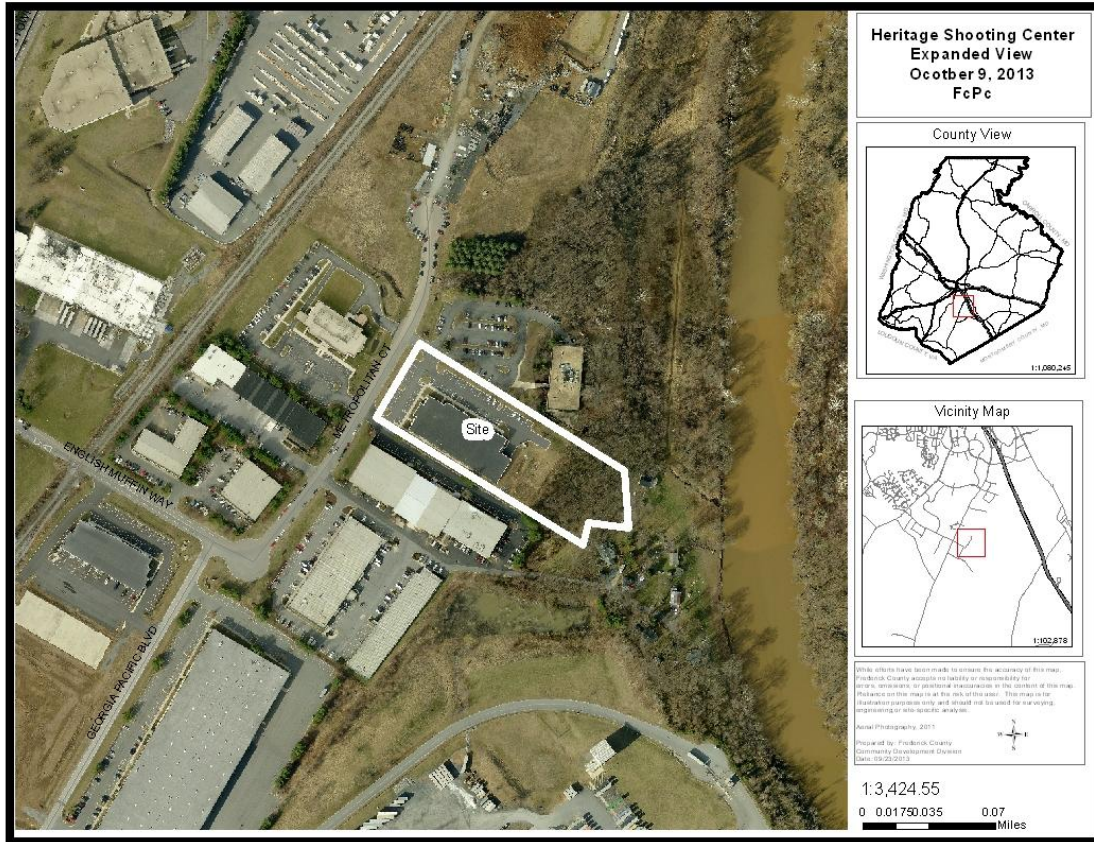
The subject lot is part of the 15-lot Section 2, McKinney Industrial Park, which received Preliminary Plan approval in 1986 and Final Plat approval in 1987. The original site plan for Lot 21 was the 10th Site Plan submitted in Section 2. The original site plan approval consisted of 3,200 sq ft of warehouse and 29,100 sq ft of office space.

The original site plan was approved by the FCPC during their meeting on May 10, 2006 and the 32,300 square foot office and warehouse facility was subsequently constructed (See Graphic #1 below). The site is now being redeveloped into an indoor firing range/training facility that will consist of two – 12 lane 25 yard ranges, classroom space (46 seats), a retail area (2,470 sq ft) and warehouse space (3,877 sq ft).

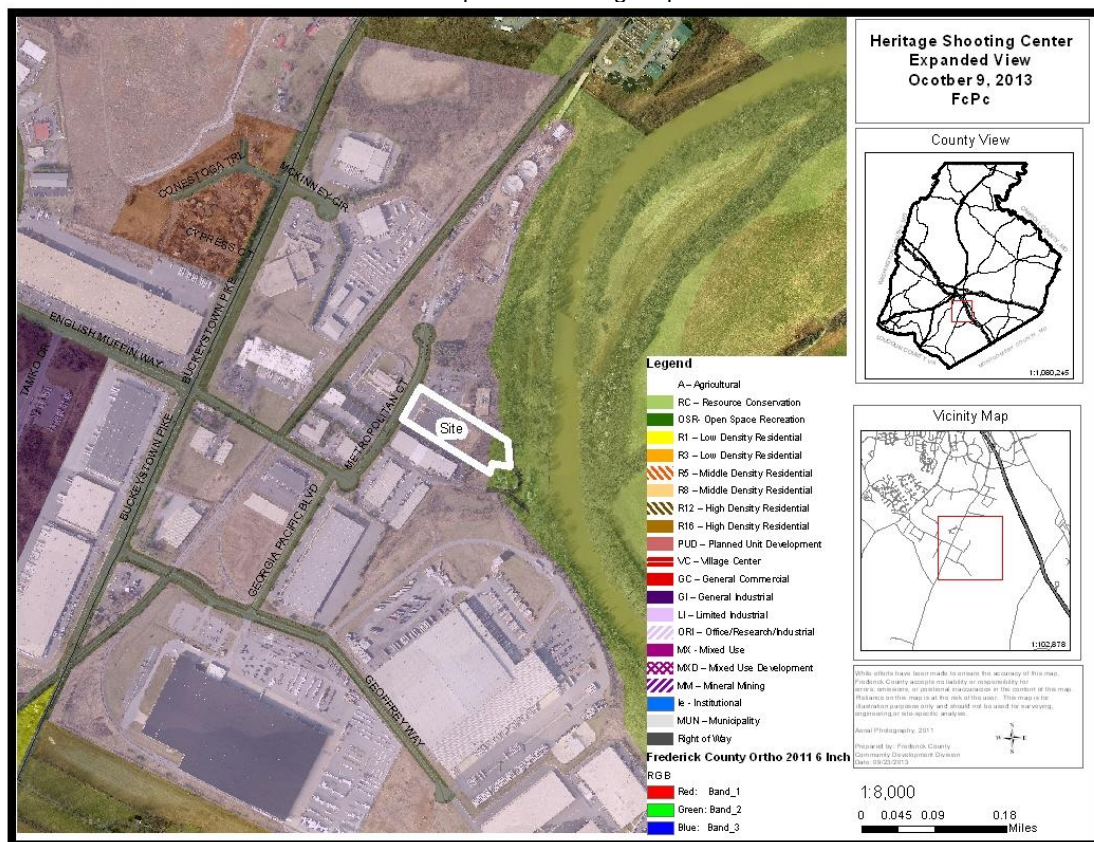
Existing Site Characteristics

The site is currently zoned Limited Industrial (LI) with a small portion along the eastern property boundary zoned Resource Conservation (RC). The Site is developed with a 32,300 square foot building that was previously approved on May 10, 2006. The property to the north and south of the site is developed with similar office/warehouse uses. The land to the east is currently developed with single family residential homes, which border the Monocacy River. See Graphic #2 below.

Graphic #1: Site Aerial



Graphic #2: Zoning Map



ANALYSIS

Summary of Development Standards Findings and Conclusions

The main issue associated with this change of use was retrofitting a site that was constructed in 2006 to today's zoning ordinance requirements, specifically with regard to the parking, lighting, and landscaping text amendments and with consideration of existing surrounding land uses.

Detailed Analysis of Findings and Conclusions

Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County zoning ordinance (sometimes referred to as "Z.O.").

Site Development §1-19-3.300.4 (A): *Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.*

Findings/Conclusions

- 1. Dimensional Requirements/Bulk Standards §1-19-6.100:** While the specific use is not listed, it falls under the general use category of open space/institutional. An Open Space use, does not have any specific minimum setbacks/bulk standards, perhaps because the anticipated uses were without structures. However, the existing building was constructed with an approved site plan with the following setbacks: 25 ft front yard, 20 ft rear yard, and 20' side yard, which are required for any industrial use. The side yard setback exceeds the Zoning Ordinance requirement which was a distance equal to the height of the structure which was 16'.
- 2. Signage §1-19-6.300:** Notation #19 on the site plan states allowable signage for the site. Building mounted signage and one (1) freestanding sign is proposed. A maximum total of 110 square feet is allowed for all site signage. The Applicant is proposing an illuminated monument sign with 2 flag poles. The proposed signage complies with the requirements of Z.O. Section 1-19-6.300.
- 3. Landscaping §1-19-6.400:** The Applicant has updated the overall existing site in order to bring the site into full compliance with the landscaping requirements of Z.O. Section 1-19-6.400. The Applicant added two street trees along Metropolitan Court as well as saw cut the existing parking area in order to add additional landscaped islands.
- 4. Screening §1-19-6.400:** The Applicant has complied with the screening and landscaping requirements of Z.O. Section 1-19-6.400.
- 5. Lighting §1-19-6.500:** There is no additional lighting proposed with this site plan.

In an effort to provide information regarding adequate consideration of discharging of firearms, the safety of the construction and design of the facility, and lead containment; notes 27, 28, and 29 have been added to the Site Plan to address those issues.

Transportation and Parking §1-19-3.300.4 (B): *The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.*

1. **Access/Circulation:** The applicant has two existing access points onto Metropolitan Court. The location of the southern access point, a use-in-common entrance shared with Lot 22, was previously shown and approved on the final plat. The northern entrance is a use-in-common entrance shared with Lot 20 and was also shown and approved on the final plat. The Applicant is not proposing any changes to the existing access points as part of this application.
2. **Connectivity §1-19-6.220 (F):** The existing site layout and access point provide connectivity to adjacent lots and public ways. Lot 21 has an existing use-in-common access point with the adjacent Lot 22. The northern entrance is a use-in-common entrance shared with Lot 20.
3. **Public Transit:** The site is served by the TransiT Route 85 Shuttle which picks-up and drops-off at the corner of English Muffin Way and Metropolitan Court Monday through Friday.
4. **Vehicle Parking and Loading §1-19-6.200-through 1-19-6.220:** In accordance with Z.O. Section 1-19-6.220; the 3,877 square foot warehouse portion of the site requires 1 space per every 1,000 square feet, therefore the 3,877 square foot warehouse portion is required to provide 4 spaces, the 2,470 square foot retail portion of the site requires 1 space for every 250 square feet of customer service area, therefore the retail portion of this site requires 10 spaces, the firing range area requires 1 space per firing position plus 1 space per 2 employees. The Applicant proposes 24 firing lanes and 12 employees; therefore 30 spaces are required for the firing range portion of the development. The 46 seat classroom requires 1 space for every 3 seats; therefore 16 spaces are required for the classroom portion of this site. The total required number of parking spaces for this site is 60; the Applicant is retaining the 78 existing parking spaces on site.
5. **Bicycle Parking §1-19-6.220 (H):** The Applicant has added one bicycle rack to the front of the building in accordance with 1-19-6.220.H.
6. **Pedestrian Circulation and Safety §1-19-6.220 (G):** The site contains existing sidewalks around the perimeter of the building. There are no sidewalks or pedestrian pathways along Metropolitan Court.

Public Utilities §1-19-3.300.4 (C): *Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.*

Findings/Conclusions

1. **Public Water and Sewer:** Public water and sewer will service the site. The water and sewer classification is W-1 Dev. / S-1 Dev. The entire site is in pressure Zone #1 with water coming from New Design WTP and Sewer flowing into the Ballenger McKinney WWTP.

Natural features §1-19-3.300.4 (D): *Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.*

Findings/Conclusions

1. **Topography:** The western portion of site which contains the building and parking is relatively flat, although the eastern portion of the site containing the stormwater management pond slopes down to the banks of the Monocacy River.

2. **Vegetation:** The eastern portion of the site contains approximately 250 feet of existing vegetation to the property line. This existing vegetation helps stabilize the bank as well as provide a visual buffer to the site from the residential properties located along the Monocacy River.
3. **Sensitive Resources:** There is a finger of FEMA floodplain and DNR wetlands on the eastern portion of the site. This area is outside of the limits of the previously constructed site and is not proposed to be disturbed as part of this application.
4. **Natural Hazards:** There are no natural hazards located on this site.

Common Areas §1-19-3.300.4 (E): *If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.*

Findings/Conclusions

1. **Proposed Common Area:** There are no common areas associated with this non-residential use.
2. **Ownership:** This facility is privately owned and maintained.

Other Applicable Regulations

Moderately Priced Dwelling Units – Chapter §1-6A: Due to the non-residential development proposal, MPDU's are not required.

Stormwater Management – Chapter §1-15.2: There is no construction proposed as part of the application. The existing stormwater management was approved during the 2006 FCPC approval; which consists of a SWM pond adjacent to a bio-retention filter.

APFO – Chapter §1-20:

1. **Schools.** The development of the property is a non-residential land use and is therefore exempt from APFO testing for Schools.
2. **Water/Sewer.** While the public sewer and water facilities are currently adequate to serve the Project, the Applicant is aware that capacity is not guaranteed until purchased. APFO approval for sewer and water does not guarantee that plats will be recorded and building permits will be issued. Plat recordation and building permit issuance is subject to compliance with the Annotated Code of Maryland, Environment Article Section 9-512, et seq. and all applicable County regulations, including but not limited to Sec. 1-16-106 of the Frederick County Subdivision Regulations.
3. **Roads.** The proposed change of use from warehouse/office to a training and shooting center does not generate any additional peak hour traffic over what had previously been approved and is therefore exempt from testing for APFO roads.

Forest Resource – Chapter §1-21: The required forest plans and documents were reviewed and approved during the 2006 approval. The Applicant proposed to create a 1.04-acre easement in the rear of the lot. The easement includes an intermittent drainage channel and historic floodplain and was acceptable to Staff.

Summary of Agency Comments

Other Agency or Ordinance Requirements	Comment
Development Review Engineering (DRE):	Conditional Approval
Development Review Planning:	Hold: Address all agency comments as the plan proceeds through to completion.
State Highway Administration (SHA):	N/A
Div. of Utilities and Solid Waste Mngt. (DUSWM):	Approved
Health Dept.	Approved
Office of Life Safety	Approved
DPDR Traffic Engineering	Approved
Historic Preservation	N/A
Sheriff's Office*	Approved: No comments or objections were received.

* Due to the nature of the proposed use, Staff routed this plan to the Sheriff's Office for review and comment.

RECOMMENDATION

Staff has no objection to conditional approval of the Heritage Training and Shooting Center McKinney Commerce Center Site Plan. If the Planning Commission conditionally approves the site plan, the site plan is valid for a period of three (3) years from the date of Planning Commission approval.

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable zoning, APFO, and FRO requirements once the following conditions are met:

1. Address all agency comments as the plan proceeds through to completion.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission **APPROVE** the Heritage Training and Shooting Center McKinney Commerce Center Amendment to Site Plan SP-77-02 **with conditions** as listed in the staff report for the proposed change of use site plan, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

